

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
NOV 04 2009

UNITED STATES OF AMERICA

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v.

SHAWN LYNN DAVIS

DAVID J. MALAND, CLERK
BY DEPUTY _____
CASE NO. 4:08CR190

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

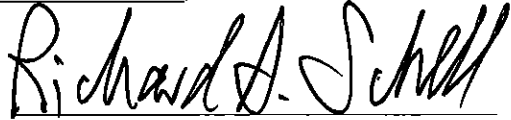
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On October 22, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Suppress Evidence (Dkt. 80), Defendant's Motion to Determine Admissibility of Statements or Confessions of Defendant (Dkt. 76), and Defendant's Motion to Request Preliminary Hearing on the Admissibility of Evidence of Other Crimes, Wrongs or Acts (Dkt. 74) be DENIED.

The court, having made a *de novo* review of the objections raised by Defendant, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Defendant are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

It is, therefore, **ORDERED** that Defendant's Motion to Suppress Evidence (Dkt. 80) is **DENIED**, Defendant's Motion to Determine Admissibility of Statements or Confessions of

Defendant (Dkt. 76) is **DENIED**, and Defendant's Motion to Request Preliminary Hearing on the Admissibility of Evidence of Other Crimes, Wrongs or Acts (Dkt. 74) is **DENIED**.

SIGNED this 4th day of November, 2009.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE